

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 PM-07 INR-10 L-03 NEA-10

NSAE-00 PA-03 RSC-01 PRS-01 USIA-15 TRSE-00 MBFR-03

SAJ-01 ACDA-19 OMB-01 DODE-00 NSC-10 SS-15 IO-13

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R 031649Z AUG 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 6667

INFO AMEMBASSY BELGRADE

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY WARSAW

USMISSION BERLIN

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 11125

E.O. 11652: GDS

TAGS: PFOR, GW, BU

SUBJECT: FRG-BULGARIAN TALKS ON ESTABLISHMENT OF
RELATIONS

REF: A) BONN 10087; B) BONN 11020

BEGIN SUMMARY: IN A ROUND OF INTENSIVE TALKS JULY 30 -
AUGUST 1, FRG AND BULGARIAN DELEGATIONS WORKED OUT MOST
OF THE ARRANGEMENTS FOR ESTABLISHMENT OF RELATIONS.
HOWEVER, THEY HAVE STILL NOT FULLY AGREED ON HOW TO
HANDLE THE BERLIN QUESTION AND A FIRM DATE FOR FONMIN
SCHEEL'S TRIP TO SOFIA HAS NOT YET BEEN SET. END
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SUMMARY.

1. BERLIN. AS EXPECTED, THE FRG'S DETERMINATION TO ENSURE ITS RIGHT TO PROVIDE CONSULAR REPRESENTATION FOR WEST BERLINERS CREATED MOST PROBLEMS FOR THE NEGOTIATORS. THE BULGARIANS SAID THEY WOULD BE WILLING TO ENVISAGE FOR THIS PURPOSE AN EXCHANGE OF LETTERS, SIMILAR TO THAT BETWEEN THE FRG AND POLAND, STATING THAT, CONSISTENT WITH THE QUADRIPARTITE AGREEMENT, THE FRG CAN PROVIDE CONSULAR REPRESENTATION TO PERSONS WITH PERMANENT RESIDENCE IN WEST BERLIN SO LONG AS MATTERS OF SECURITY AND STATUS ARE NOT INVOLVED. THE GERMANS ARE WILLING TO ACCEPT THIS SO LONG AS THE BULGARIANS WILL AGREE TO TWO OTHER ARRANGEMENTS:

(A) A FURTHER EXCHANGE OF LETTERS CONCERNING DOCUMENTATION OF WEST BERLIN CITIZENS WHO WISH TO TRAVEL TO BULGARIA. IN ESSENCE, THIS EXCHANGE WOULD SIMPLY REPEAT THE LANGUAGE OF AGREED MINUTES OF THE QUADRIPARTITE AGREEMENT AND AFFIRM THAT THIS IS TO BE THE BASIS FOR DOCUMENTATION FOR WEST BERLINERS GOING TO BULGARIA. THE GERMANS WANT IT PRECISELY BECAUSE THEY DO NOT HAVE SUCH AN ARRANGEMENT WITH POLAND AND HAVE ENCOUNTERED MANY DIFFICULTIES IN GETTING THE POLES TO AGREE TO USE OF FRG PASSPORTS BY BERLINERS. THE BULGARIANS HAVE NOT REPEAT NOT YET AGREED TO THIS EXCHANGE OF LETTERS BUT HAVE TAKEN THE FRG REQUEST UNDER ADVISEMENT.

(B) A "GENTLEMEN'S AGREEMENT" ON LEGAL ASSISTANCE. THIS WOULD TAKE THE FORM OF AN EXCHANGE OF ORAL STATEMENTS, PRESUMABLY SOME TIME DURING THE SCHEEL VISIT, TO THE EFFECT THAT THE BULGARIAN AUTHORITIES, THROUGH THE INTERMEDIARY OF THE FRG EMBASSY IN SOFIA, WOULD BE WILLING TO ENTERTAIN REQUESTS FROM WEST BERLIN COURTS SEEKING ASSISTANCE ON BEHALF OF RESIDENTS OF WEST BERLIN. AGAIN, THE BULGARIANS HAVE NOT YET AGREED. THEY ARGUE THAT THIS WOULD GIVE A ONE-SIDED ADVANTAGE TO THE FRG AND THAT IT GOES BEYOND THE TERMS OF THE QA. THE FRG READILY ADMITS THAT THE LATTER POINT IS TRUE.

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2. BULGARIAN REPRESENTATION IN WEST BERLIN. THE BULGARIANS SAID THAT IF THEY WERE TO ACCEPT THE FRG PROPOSALS OUTLINED ABOVE, THEY WOULD WANT TO BE SURE THAT BULGARIA WAS ALSO ABLE TO REPRESENT ITS CITIZENS IN WEST BERLIN. FRG REPS POINTED OUT THAT APPLICATION TO OPEN A CONSULATE IN WEST BERLIN WOULD HAVE TO BE MADE TO THE THREE POWERS IN ACCORDANCE WITH THE ESTABLISHED PROCEDURES (REFTEL B).

3. COMMENT: GERMANS HAVE DROPPED EFFORT TO GET BUL-
GARIAN AGREEMENT ON BROAD FRG RIGHT TO REPRESENT WEST
BERLIN AS A "JURIDICAL PERSON" IN THE CONSULAR FIELD.
NO DOUBT THEY RECOGNIZED THAT THIS, FOR WHICH THERE IS
NO BASIS IN THE QA, WAS A NONSTARTER. HOWEVER, THEIR
GAMBIT ON LEGAL AID APPEARS TO BE AN ATTEMPT AT LEAST
TO GET A FOOT IN THE DOOR. (IT ALSO REFLECTS A PRAC-
TICAL CONCERN, SINCE THE POLES HAVE CONSISTENTLY REFUSED
TO ENTERTAIN THE REQUESTS OF BERLIN COURTS FOR SUCH
ASSISTANCE.) THEY ARE CONVINCED THAT THE BUL-

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GARIANS ARE GOING TO TALK THE GERMAN REQUEST OVER CAREFULLY WITH THE SOVIETS, AND THEY ARE NOT AT ALL CERTAIN THAT IT WILL BE ACCEPTED. END COMMENT.

4. THE GERMANS HAVE PROPOSED THAT SCHEEL TRAVEL TO SOFIA FOR ABOUT TWO DAYS AT THE END OF AUGUST, I.E. BEFORE BRANDT'S TRIP TO PRAGUE FOR SIGNATURE OF FRG-CSSR TREATY. THE BULGARIANS HAVE NOT YET ACCEPTED OR RESPONDED TO THIS PROPOSAL. THE GERMANS SUSPECT THAT THE BULGARIANS MAY HAVE RECONSIDERED THEIR APPARENT EARLIER WILLINGNESS TO MOVE AHEAD IN ADVANCE OF FULL CONFIDENTIAL

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COMPLETION OF THE FRG-CSSR RELATIONSHIP.

5. THERE IS BASIC AGREEMENT ON THE PROCEDURES TO BE FOLLOWED WHEN SCHEEL DOES GO TO SOFIA. A SHORT COMMUNIQUE WILL BE ISSUED AT THE BEGINNING OF THE VISIT, ANNOUNCING THE DECISION OF THE TWO SIDES TO ESTABLISH RELATIONS. THIS WILL BE DONE AT THE OUTSET SO THAT THE FURTHER DISCUSSIONS WILL TAKE PLACE, FORMALLY SPEAKING, BETWEEN FOREIGN MINISTERS OF COUNTRIES WHICH ALREADY HAVE NORMALIZED THEIR RELATIONSHIP. IN THE COURSE OF THE VISIT, THE MINISTERS WILL INITIAL A PROTOCOL ON THE MODALITIES OF FRG-CSSR RELATIONS. THIS PROTOCOL, A DRAFT OF WHICH HAS ALREADY BEEN AGREED UPON, WILL DEAL WITH TECHNICAL QUESTIONS SUCH AS THE CONVERSION OF TRADE MISSIONS INTO EMBASSIES, THE RIGHT TO OPERATE RADIO TRANSMITTERS, AND A LIMITATION ON THE NUMBER OF EMPLOYEES (45). AT THE END OF THE VISIT, THERE WILL BE A FINAL COMMUNIQUE SETTING FORTH SOME OF THE OBJECTIVES OF THE TWO SIDES FOR THE FUTURE DEVELOPMENT OF THEIR RELATIONS.

6. JUDGING FROM WHAT THEIR DELEGATION HAD TO SAY IN BONN, THE BULGARIANS ARE, LIKE MOST OTHER EES AT THE BEGINNING OF RELATIONS WITH THE FRG, THINKING IN RATHER GRANDIOSE TERMS ABOUT WHAT CAN BE DONE, PARTICULARLY IN THE FIELDS OF ECONOMIC AND SCIENTIFIC/TECHNOLOGICAL COOPERATION. THEY APPARENTLY FORESEE A LARGE NUMBER OF AGREEMENTS, FREQUENT EXCHANGES OF OFFICIAL VISITORS, AND A LIVELY PROGRAM OF CULTURAL EXCHANGE.

7. THE BULGARIANS DID NOT PROPOSE THE OPENING OF CONSULATES, MUCH TO THE SATISFACTION OF THE FRG REPS, WHO ARE TRYING TO CURB THE ENTHUSIASM OF EES FOR A PROLIFERATION OF OFFICES AND REPRESENTATIONS IN THE FRG AND WHO HAVE NO INTEREST IN AN FRG CONSULATE IN BULGARIA. HOW-

EVER, THE BULGARIANS DID REQUEST AUTHORIZATION TO OPEN
A THIRD "TRADE BUREAU", IN ADDITION TO THE TWO NOW
EXISTING IN HAMBURG AND FRANKFURT. (THESE ARE OFFICES
WHICH, UNLIKE THE TRADE MISSION, HAVE NO OFFICIAL
STATUS, ALTHOUGH THEY ARE OF COURSE STAFFED BY BULGARIAN
STATE EMPLOYEES.) THE FRG HAS REFUSED THIS REQUEST,
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AND IN FACT WOULD HAVE PREFERRED TO CLOSE THE
EXISTING BUREAUS. HOWEVER, IT HAS ITS OWN INTEREST
IN ARRANGING FOR GERMAN FIRMS TO ESTABLISH BRANCH
OFFICES IN BULGARIA. THE BULGARIANS AGREED TO TAKE
UNDER CONSIDERATION THE GERMAN REQUEST FOR STEPS WHICH
WOULD MAKE THIS POSSIBLE. (BULGARIAN LAW NOW OSTEN-
SIBLY PRECLUDES ANYTHING EXCEPT REPRESENTATION OF
FOREIGN FIRMS BY BULGARIAN STATE ORGANIZATIONS.)
HILLENBRAND

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